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Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice

International cooperation in combating transnational organized crime and corruption

Report of the Secretary-General

Summary

The present report provides an overview of the activities of the United Nations Office on Drugs and Crime in the fight against transnational organized crime, in all its forms and manifestations, and corruption. The report complements the reports of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its sixth session and of the Conference of the States Parties to the United Nations Convention against Corruption on its fifth session, as well as the reports of the working groups established by those Conferences. The report also provides information on work undertaken as part of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and on international cooperation and technical assistance activities.

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I. Introduction

1. The present report is submitted to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, pursuant to Economic and Social Council decision 2013/247. It provides information on the activities of the United Nations Office on Drugs and Crime (UNODC) with reference to Council resolutions 2005/17, entitled "International cooperation in the fight against transnational organized crime", and 2006/24, entitled "International cooperation in the fight against corruption", as well as General Assembly resolution 68/193, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity". The present report also provides information on the implementation of Commission resolution 22/3, entitled "Renewed efforts to ensure the effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto on the tenth anniversary of the entry into force of the Convention".

II. Transnational organized crime

A. Conference of the Parties to the United Nations Convention against Transnational Organized Crime

2. In its resolution 68/193, the General Assembly reaffirmed that the United Nations Convention against Transnational Organized Crime and its Protocols represented the most important tools of the international community to fight transnational organized crime.

3. The Assembly, in its resolution 68/193, and the Commission in its resolution 22/3, reiterated the need for the establishment of, inter alia, a transparent, efficient, non-intrusive, inclusive and impartial mechanism for the review of the implementation of the Organized Crime Convention and its Protocols, aimed at assisting States parties in the full and effective implementation of those instruments, and, bearing in mind the urgent need to improve the implementation of the Convention and its Protocols, invited Member States to continue the dialogue regarding the establishment of such a mechanism, particularly in view of the holding of the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in 2014.

4. The agenda of the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, to be held in Vienna from 6 to 10 October 2014, will cover the review of implementation of the Convention and its Protocols, as well as international cooperation, technical assistance and combating serious crimes as defined in the Convention, including new forms and dimensions of organized crime. The Conference has established five working groups. During the reporting period, three of the five working groups held meetings.

5. The seventh meeting of the Working Group of Government Experts on Technical Assistance was held in Vienna from 28 to 30 October 2013. At that meeting, the Working Group discussed assistance, good practices and the comparison of national legislation in the areas of identifying and protecting victims

of and witnesses to organized crime; establishing capacity-building programmes for prosecutors, members of the judiciary and law enforcement agencies, including to enhance inter-agency cooperation and coordination; and assisting in harmonizing national legislation with the Organized Crime Convention and its Protocols.

6. The fifth meeting of the Working Group on Trafficking in Persons was held in Vienna from 6 to 8 November 2013. At that meeting, the Working Group focused on an analysis of key concepts of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Organized Crime Convention, with a focus on consent; how to reduce demand, including by fostering public-private partnerships and identifying factors that drive trafficking in persons; and forms of exploitation not specifically mentioned in the Trafficking in Persons Protocol but that have arisen in national, regional or international contexts or practice.

7. The second meeting of the Working Group on the Smuggling of Migrants was held in Vienna from 11 to 13 November 2013. During the meeting, good practices in special investigative techniques, multi-agency centres and informal cross-border cooperation and information-sharing were discussed.

8. The discussions held during the three meetings described above were fruitful and the recommendations adopted at those meetings will be forwarded to the Conference for consideration at its seventh session.

B. Promoting ratification and implementation of the United Nations Convention against Transnational Organized Crime

9. The Organized Crime Convention and its Protocols have continued to attract adherence by States. In 2013, 6 States ratified the Convention (bringing the total number of parties to 179), 5 States ratified the Trafficking in Persons Protocol (bringing the total number of parties to 159); 3 States ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (bringing the total number of parties to 138); and 9 States ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (bringing the total number of parties to 107).

10. The provision of legislative assistance for ratification and implementation of the Organized Crime Convention and its Protocols is a key function of UNODC. Legislative assistance activities provided by UNODC headquarters and field offices include, upon request, training to relevant authorities and practitioners on the various aspects and requirements of the Convention and its Protocols, gap analysis, advice on existing legislation and support for drafting or amending legislation, including the provision of advice to parliamentarians.

11. Whether harmonization efforts are focused on domestic international cooperation laws, criminalization or other aspects of the Convention, such as protection of witnesses, the use of legal tools in the delivery of technical assistance for harmonization is critical. Legal tools offer a common methodology and guidance

for all stakeholders, whether they are involved in the delivery or receipt of technical assistance.

12. Model legislative provisions, model laws and legislative guides represent important components of the provision of assistance in harmonizing national legislation. Model laws and provisions are not intended to be incorporated directly into national laws; rather, they are designed to be adapted to the needs of each State in the light of its particular legal, social, economic and cultural traditions, following a careful and holistic review of its legislative context. Similarly, legislative guides are not intended to prescribe ways and means of implementing the Convention and its Protocols, but rather to furnish a range of options and examples that national drafters may wish to consider, taking into account different legal traditions and varying levels of institutional development.

13. UNODC has developed several model provisions and laws pertaining to the Convention and its Protocols, including: *Model Legislative Provisions against Organized Crime*; *Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*; *Model Law against the Smuggling of Migrants*; *Model Law against Trafficking in Persons*; *Model Legislation on Money Laundering and Financing of Terrorism* (for civil law systems); *Model Provisions on Money Laundering, Terrorist Financing, Preventive Measures and Proceeds of Crime (for Common Law Legal Systems)* (revised version forthcoming); "Model law on mutual assistance in criminal matters"; and *Model Law on Extradition*. UNODC has also developed a model treaty on extradition and a model treaty on mutual assistance in criminal matters.

14. UNODC has started developing model legislative provisions to combat trafficking in fraudulent medicine, in line with the Organized Crime Convention. The model legislative provisions are to be accompanied by a commentary and will include various drafting options that may be applied to all legal systems and adaptable to the needs of each State, whatever its legal tradition and its social, economic, cultural and geographical conditions. Aimed at Governments, in particular legislative drafters, the model legislative provisions will be utilized to provide advisory services and assistance to countries in drafting, updating and/or reviewing relevant national legislation to combat trafficking in fraudulent medicine.

15. The above-mentioned model provisions and laws are complemented by a series of UNODC manuals, including the *Manual on Mutual Legal Assistance and Extradition*, the *Manual on International Cooperation for the Purposes of Confiscation of Proceeds of Crime* and the *Handbook on the International Transfer of Sentenced Persons*, which provide additional information on mechanisms for international cooperation.

16. The use of such tools in the provision of legislative assistance with respect to the Convention and its Protocols should satisfy the needs of different legal traditions, including constitutional principles and existing legal structures and enforcement arrangements, as well as different social, economic, cultural and geographical conditions. At the same time, such assistance should be sufficiently consistent to allow for an adequate degree of legislative harmonization in each country so that they might exchange mutual legal assistance and extradition requests, conclude agreements or arrangements on joint investigations and participate in other forms of international cooperation.

17. With a view to supporting the periodic national processes of law review and assessment and the planning and delivery of technical assistance, UNODC has started working on a needs assessment guide on the Organized Crime Convention. It will contain guidance on assessing actions that can be taken in a State party in order to ensure that implementation of the Organized Crime Convention is consistent.

18. The guide will consist of sets of standardized indicators and questions designed to enable experts from international organizations, non-governmental organizations, national Governments and relevant institutions, in particular policymakers and legislators, to conduct a comprehensive or specific assessment of selected aspects of implementation of the Organized Crime Convention. That includes identifying gaps in existing legislation and implementation, facilitating the formulation and development of technical assistance projects that adequately respond to the gaps and needs identified and facilitating the development of performance indicators for evaluating progress in implementation.

19. Information on the efforts of States parties to harmonize their national legislation with the provisions of the Convention and its Protocols is also available in the database of legislation on the UNODC Sharing Electronic Resources and Laws against Organized Crime (SHERLOC) knowledge management portal, which also includes a case law database and a link to the directory of competent national authorities. Through SHERLOC, UNODC aims to gather all information pertaining to international, regional and national efforts to combat organized crime on a single website, with a view to facilitating the dissemination of information.

Implementation of the provisions on international cooperation of the Organized Crime Convention

20. During the reporting period, UNODC contributed to international cooperation to prevent and combat transnational organized crime by providing legal advisory services to draft new legislation or to review and amend existing frameworks on mutual legal assistance and extradition in Ethiopia, Myanmar, Nigeria and Viet Nam. UNODC is also assisting Ethiopia in the development of its institutional framework for international cooperation, in particular through the establishment of standard operating procedures for its central authority.

21. The establishment of a central authority with the responsibility and power to receive and draft requests for mutual legal assistance and extradition is not only a key requirement of the Organized Crime Convention, but has become necessary given the growing number of requests received by each country and the need to respond to those requests in a quick and complete manner. The institutionalization of such functions helps to concentrate expertise in one body and to monitor the execution of mutual legal assistance and extradition. It also contributes to the preservation of institutional memory and valuable contacts established with partner countries over time.

22. With those elements in mind, UNODC has worked to develop networks of prosecutors and central authorities responsible for receiving and preparing requests for mutual legal assistance and extradition in Central America and West Africa. Through the nomination of focal points, the holding of regular meetings and training events and the creation of websites containing information on national constituents, those networks will assist participating central authorities and prosecutors in

developing contacts with their counterparts, exchanging information about their respective legal systems and procedures and sharing good practices, thereby creating a community of practice within each region that will facilitate cooperation in ongoing cases.

23. Since 2011, over 1,300 prosecutors have participated in training organized by the Central American Network of Prosecutors against Organized Crime (REFCO) on a variety of topics, including extortion, wiretapping, money-laundering and electronic evidence collection. REFCO has demonstrated tangible results by coordinating joint investigations, which have already led to the collection of evidence, the seizure and confiscation of money and proceeds of crime and indictments and convictions in over a dozen cases. In 2013, REFCO organized two national workshops, nine regional workshops and five technical cooperation meetings and it cooperated with the Central American Integration System (SICA), the Organization of American States, the International Organization for Migration and the Woodrow Wilson International Center for Scholars.

24. The West African Central Authorities and Prosecutors network held its first two regional meetings in 2013, in cooperation with the Economic Community of West African States (ECOWAS) and the ECOWAS Court of Justice. Cooperation between two countries has already been facilitated on the margins of such meetings. The network has enabled some countries to express requests for assistance to amend their national framework for international cooperation or to establish a central authority. It has also been used as a vehicle for South-South cooperation, leading to an agreement that one of the more advanced West African countries would share its experience with another country from the region as part of a bilateral mission.

25. UNODC also worked to raise policymakers' awareness of the different aspects of the Organized Crime Convention that relate to international cooperation and to train prosecutors, magistrates and law enforcement officers on the use of the Convention and on best practices in international cooperation in criminal matters. In that respect, several regional and national meetings and training events were held, in particular in the Middle East and North Africa. In the delivery of training, UNODC places particular emphasis on practical approaches, using case studies and tailor-made tools, such as its manuals and handbooks on international cooperation in criminal matters and the Mutual Legal Assistance Request Writer Tool. In the past year, UNODC also strived to build on synergies between its various areas of work and delivered, or is in the process of delivering, several joint training events and meetings, in particular in the Middle East and North Africa (both at the national and regional levels) and in Namibia.

26. One of the elements of the interregional drug control approach of UNODC to stemming drug trafficking from Afghanistan is promoting closer cooperation between existing law enforcement coordination centres and platforms. To achieve that, UNODC proposed leveraging the combined strengths of individual networks by creating a "network of networks" to establish and strengthen cooperative links between various entities in the fight against trafficking.

27. As a preliminary step, an inter-agency meeting was held in Istanbul, Turkey, in December 2013. During that meeting, the mandates and priorities of the participant agencies, including the Central Asian Regional Information and Coordination Centre, the Gulf Criminal Intelligence Centre to Combat Drugs, the joint planning

cell and the Southeast European Law Enforcement Center, were examined and opportunities for collaboration and coordinated operational activities were explored. The meeting was attended by representatives from international partners including the European Police Office (Europol), the International Criminal Police Organization (INTERPOL), the Organization for Security and Cooperation in Europe and the World Customs Organization and concluded with a joint statement on cooperation between the parties. It is anticipated that a similar meeting will be held in 2014 in order to foster cooperation in related operational activities.

28. Pursuant to its mandate to support interregional networking, UNODC continues to support the Asset Recovery Network of the Financial Action Task Force of South America against Money-Laundering (GAFISUD). UNODC also continues to support the Asset Recovery Inter-Agency Network of Southern Africa through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism and has assisted in the launch of the Asset Recovery Inter-Agency Network for Asia and the Pacific.

29. In 2013, the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism focused its efforts on the feasibility of setting up a similar network in West Africa. A regional conference was to be held in Dakar in March 2014 with a view to encouraging research in the area of asset forfeiture and management in West Africa and exploring ways to improve the effectiveness of existing regimes throughout the region by setting up an asset recovery inter-agency network for the region.

30. Through the Global Programme, UNODC provides technical assistance and capacity-building to assist Member States in preventing and suppressing illicit financial flows and also in seizing the proceeds from drugs and crime. In 2013, UNODC collaborated with the World Bank and INTERPOL to research and draft the report *Pirate Trails: Tracking the Illicit Financial Flows from Pirate Activities off the Horn of Africa*, which was published in November 2013. In addition, UNODC is organizing an interregional workshop on illicit financial flows from wildlife trafficking that is to be held in Pretoria in May 2014.

31. The partnership between UNODC and the World Bank in the area of combating money-laundering and the financing of terrorism again delivered positive outcomes for both organizations; the Global Programme and the World Bank continue to share the cost of employing a mentor in the Mekong subregion on combating money-laundering and the financing of terrorism.

32. The mentor programme remains the flagship programme for delivering technical assistance in the field. It provides a means for UNODC to better understand the needs, priorities and challenges faced by beneficiary Member States in establishing and developing comprehensive systems to combat money-laundering and the financing of terrorism. Through their long-term presence in a country or region, the mentors are able to establish meaningful and trusting relationships with counterpart agencies. Such relationships allow for more effective delivery of sustainable capacity-building for key agencies, including financial intelligence units, law enforcement agencies, prosecutors' offices and policymakers. In 2013, UNODC had regional advisers in the Mekong subregion (covering Cambodia, the Lao People's Democratic Republic and Viet Nam) and in West Africa (covering Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea,

Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Senegal, Sierra Leone and Togo) to assist countries, in particular with legal and law enforcement-related issues, in combating money-laundering and the financing of terrorism. The mentor based in Pretoria (whose work covers Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe) focused, in particular, on the strengthening of the countries' asset forfeiture regimes.

33. In 2013, UNODC organized and took part in a series of workshops (in Botswana, Burkina Faso, Cabo Verde, Cambodia, Côte d'Ivoire, Ethiopia, the Islamic Republic of Iran, Kenya, Mali, Mauritania, Mauritius, Myanmar, Niger, Pakistan, Senegal, Seychelles, South Africa, the State of Palestine, the United Republic of Tanzania, Viet Nam and Yemen) on issues relating to combating money-laundering and countering terrorism financing in order to provide sustainable capacity in those Member States.

34. Assistance in establishing financial intelligence units and in training law enforcement and judicial officers will remain a technical assistance priority for UNODC as part of its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism.

C. Promoting ratification and implementation of the Protocols to the United Nations Convention against Transnational Organized Crime

1. Trafficking in Persons Protocol

35. UNODC assists Member States in implementing the Trafficking in Persons Protocol through normative work and technical assistance. Guidance on international cooperation in criminal matters is integrated into all relevant UNODC activities.

36. UNODC continues to maintain the Human Trafficking Case Law Database, which is a global database that contains information on trafficking in persons court cases and includes details of the nationalities of victims and perpetrators, trafficking routes, verdicts and other related information. The database is a public, web-based tool and serves to increase the visibility of successful prosecutions and practices, identify global patterns and promote awareness of trafficking in persons. The ultimate purpose of the database is to contribute to increasing the number of convictions globally. Since 2011, the database has grown rapidly and now provides access to information on more than 935 cases in 78 jurisdictions. All of the case information in the database is available in English, French and Spanish.

37. UNODC organized a regional training workshop on combating trafficking in persons that brought together criminal justice practitioners from the Pacific island States of Fiji, Kiribati, the Federated States of Micronesia, Papua New Guinea, Samoa, Solomon Islands, Tonga and Vanuatu. It was held in Suva from 17 to 19 June 2013. The workshop was organized in partnership with the Pacific Immigration Directors' Conference, in recognition of its key role in training coordination, knowledge-sharing and promotion of regional cooperation.

38. UNODC organized, in collaboration with the Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings and the Center for Combating Cyber Crimes of the Ministry of the Interior of the Republic of Moldova, a training session on strengthening capacities for combating cybercrime, in the framework of the UNODC project "Improving criminal justice responses to trafficking in persons in South-Eastern Europe with special focus on Moldova". The session took place in Chisinau from 18 to 20 June 2013 and was attended by 28 participants, of whom 24 were investigators and 4 were prosecutors.

39. UNODC, together with the Ministry of Justice and with the support of the Ministry of Foreign Affairs of the Congo, organized a training session for criminal justice practitioners on combating trafficking in persons from 26 to 28 November 2013. The training session focused on special investigative techniques, in particular for financial investigations, and international and regional cooperation. The training session concluded with a day dedicated to a mock trial.

40. To promote international cooperation in Iraq, UNODC organized, together with the European Union Integrated Rule of Law Mission for Iraq, a workshop on international cooperation to combat trafficking in persons. It was held in Baghdad from 17 to 20 November 2013 and was attended by 23 participants, including police officers, judges, prosecutors and other law practitioners. Extradition, transfer of criminal proceedings and of sentenced persons, mutual legal assistance, rogatory commissions and international requests for confiscation of assets were among the topics discussed.

41. To continue promoting international cooperation in South-Eastern Europe to combat the use of the Internet in trafficking in persons cases, UNODC organized a regional conference entitled "Strengthening the criminal justice response to trafficking in persons in South-Eastern Europe — combating abuse of the Internet and strengthening cross-border intelligence-sharing" that was held in Chisinau on 5 and 6 December 2013. Participants shared experiences and best practices in combating cybercrime and the abuse of the Internet in trafficking in persons cases, as well as information on cross-border intelligence-sharing and joint investigation teams dealing with trafficking in persons.

2. Smuggling of Migrants Protocol

42. UNODC assists Member States in implementing the Smuggling of Migrants Protocol through normative work and technical assistance. Guidance on international cooperation in criminal matters is integrated into all relevant UNODC activities.

43. Together with the Special Administrative Unit for Migration in Colombia, UNODC conducted an assessment of the legislation and the overall situation with regard to the smuggling of migrants in Colombia. The Government of Colombia was presented with the results of that assessment, in which the phenomenon of smuggling of migrants in the country and its legal, institutional and judicial repercussions were described. Following that presentation, the Ministry of Foreign Affairs announced its commitment to take steps towards ratifying the Smuggling of Migrants Protocol. UNODC also provided legislative assistance for the formulation of a law against the smuggling of migrants in Cambodia.

44. To support transregional cooperation in smuggling of migrants cases, UNODC organized a multidisciplinary training workshop on interregional cooperation to respond to the smuggling of migrants. It was held in Vienna from 22 to 25 July 2013. Bringing together representatives from three continents along an identified migrant smuggling route, the workshop promoted informal and formal cooperation and information-sharing, such as through establishing communication procedures and information and data exchange, which equipped the criminal justice actors with an understanding of key elements of international cooperation and provided them with the necessary tools to undertake such cooperation. The workshop also facilitated the exchange of best practices, specific procedures and investigative techniques among participants.

45. UNODC provides direct support for the sharing of information related to the smuggling of migrants and irregular migration among members and observers of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime through a voluntary reporting mechanism.

46. During its chairmanship of the Global Migration Group, UNODC led the development of a thematic paper entitled *Exploitation and Abuse of International Migrants, Particularly Those in an Irregular Situation: a Human Rights Approach*, which contributed to the High-Level Dialogue on Migration and Development hosted by the Office of the United Nations High Commissioner for Human Rights in Geneva on 4 September 2013.

47. UNODC launched an issue paper on corruption and the smuggling of migrants on the margins of the meeting of the Working Group on the Smuggling of Migrants held in Vienna from 11 to 13 November 2013. The paper aims at assisting policymakers and practitioners to prevent and address corruption related to the smuggling of migrants. Developed through expert consultations, the issue paper contains an examination of the intersections between corruption and the smuggling of migrants, and the main challenges to and good practices on preventing and combating those intertwined issues.

3. Firearms Protocol

48. In its resolution 6/2, entitled "Promoting accession to and implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime", the Conference of the Parties reaffirmed its resolution 5/4, in which it requested States to, inter alia, strengthen their mechanisms and strategies for border control in order to prevent trafficking in firearms, and to afford each other the broadest possible bilateral, regional and international cooperation so as to facilitate the tracing of firearms and the investigation and prosecution of firearms-related offences, in conformity with their national laws.

49. Through its Global Firearms Programme, UNODC has continued to support and promote such cooperation at the regional and international levels. International cooperation in criminal matters, including the investigation and prosecution of cases on trafficking in firearms, is a central element of the Programme's capacity-building component. The comprehensive training curriculum on firearms developed by the Programme also contains a specific module dedicated to international cooperation.

50. In October 2013, two national training courses organized under the framework of the Programme were held for investigators and prosecutors from Ghana and Senegal. The courses included a component on international cooperation. At the regional level, representatives of the Programme participated in and contributed to the holding of the meeting of the Network of West African Central Authorities and Prosecutors against Organized Crime Prosecutors held from 12 to 14 November 2013 in Praia, and provided substantive inputs on the subject of international cooperation in the context of cases of trafficking in firearms. The meeting was attended by high-ranking prosecutors and representatives from the central authorities of 15 countries from West Africa. Ongoing cooperation has also been maintained between the Global Firearms Programme and the Common Market of the South (MERCOSUR), through its Working Group on Firearms and Explosives. In June 2013, a presentation was made by representatives of the Programme to MERCOSUR member States on the regional cross-analysis of firearms legislation and the status of implementation of the Programme, and a discussion on the topic was held.

III. Corruption

A. Conference of the States Parties to the United Nations Convention against Corruption

1. Mechanism for the Review of Implementation of the United Nations Convention against Corruption

51. At its third session, held in Doha from 9 to 13 November 2009, the Conference of the States Parties to the United Nations Convention against Corruption adopted resolution 3/1, entitled "Review mechanism", in which it adopted the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, contained in the annex to that resolution. The Implementation Review Group, which oversees the work of the Mechanism, held its fourth session in Vienna from 27 to 31 May 2013 and its resumed fourth session in Panama City on 26 and 27 November 2013, during the fifth session of the Conference of the States Parties to the United Nations Convention against Corruption. At its resumed fourth session, the Implementation Review Group considered the review of implementation of the Convention, technical assistance, financial and budgetary matters and other matters.

52. In accordance with resolution 4/6 of the Conference of the States Parties, entitled "Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption", the second briefing for non-governmental organizations was held in Vienna on 30 May 2013, on the margins of the fourth session of the Implementation Review Group. The briefing was conducted by the secretariat and chaired by the Vice-President of the Conference and a summary of the briefing was made available to the Implementation Review Group.

53. At its fifth session, the Conference adopted decision 5/1, entitled "Mechanism for the Review of Implementation of the United Nations Convention against Corruption" in which it decided, inter alia, that the Implementation Review Group

should collect, with the support of the secretariat, and discuss relevant information in order to facilitate the assessment of performance in accordance with paragraph 48 of the terms of reference, following the completion of the first review cycle.

54. UNODC provided technical and substantive services for the Implementation Review Mechanism and to the Implementation Review Group, which in 2013 started the fourth year of reviews of the current cycle. Those services included providing training to governmental experts from States parties under review and reviewing States, supporting the country reviews and producing thematic reports on implementation trends and the technical assistance needs identified during the review process. In the first, second and third years of the current cycle, 27, 41 and 35 countries were reviewed, respectively. For the fourth year of the cycle, 64 reviews have already started, and at least two further reviews of new States parties are due to start in 2014. At the date of reporting, 55 executive summaries of country reports had been made available to the Implementation Review Group in all six official languages of the United Nations, with more available as conference room papers in the language of the review. Follow-up technical assistance activities have been initiated to address gaps identified through country reviews. A total of $8,874,423 in voluntary contributions were received in support of the Implementation Review Mechanism from Australia, Austria, Brazil, Canada, France, Germany, Italy, Mexico, Morocco, the Netherlands, Norway, Qatar, the Russian Federation, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the United Nations Development Programme (UNDP) for the period 2010-2013. In-kind contributions were also provided by Benin, China, Italy, Portugal, the Russian Federation and the United Arab Emirates.

2. Open-ended Intergovernmental Working Group on the Prevention of Corruption

55. At its meeting held in Vienna from 26 to 28 August 2013, the Open-ended Intergovernmental Working Group on the Prevention of Corruption addressed the topics of integrity in the judiciary, judicial administration, prosecution services and public education, in particular the engagement of children and young people and the role of mass media and the Internet, reaching a series of conclusions and recommendations.[1] The Working Group also adopted the topics proposed in the workplan for 2014 and 2015.

56. At its fifth session, the Conference of the States Parties adopted resolution 5/4, entitled "Follow-up to the Marrakech declaration on the prevention of corruption" in which it decided, inter alia, that the Working Group should continue its work and hold at least two meetings prior to the sixth session of the Conference.

3. Open-ended Intergovernmental Working Group on Asset Recovery

57. At its meeting held in Vienna on 29 and 30 August 2013, the Open-ended Intergovernmental Working Group on Asset Recovery held two thematic discussions, based on its workplan: special cooperation and financial intelligence units (articles 56 and 58 and relevant other articles of the Convention); and freezing and seizure (articles 54 and 55 and other relevant articles of the Convention). In its

[1] For the text of the conclusions and recommendations, see the report of the meeting (CAC/COSP/WG.4/2013/5).

conclusions and recommendations, the Group among others, encouraged the disclosure of information without prior request, fast seizure and freezing mechanisms, early communication and sharing of information before starting formal mutual legal assistance procedures, case coordination meetings among the requested and requesting States, and the exchange of experts.[2]

58. At its fifth session, the Conference of the States Parties adopted resolution 5/3, entitled "Facilitating international cooperation in asset recovery", in which it decided, inter alia, that the Working Group should continue its work and hold at least two meetings prior to the sixth session of the Conference of the States Parties.

4. Meeting of experts to enhance international cooperation under the United Nations Convention against Corruption

59. The second meeting of experts to enhance international cooperation under the United Nations Convention against Corruption was held on 25 and 26 November 2013 in Panama City, during the fifth session of the Conference of the States Parties, pursuant to resolution 4/2 of the Conference, entitled "Convening of open-ended intergovernmental expert meetings to enhance international cooperation". A panel discussion was held on practical aspects of and challenges encountered in the field of international cooperation to combat corruption. Experts agreed on the need to raise awareness among practitioners about the added value of chapter IV of the Convention, including promoting the use of the Convention as a basis for international cooperation.

60. At its fifth session, the Conference adopted resolution 5/1, entitled "Enhancing the effectiveness of law enforcement cooperation in the detection of corruption offences in the framework of the United Nations Convention against Corruption", in which it, inter alia, decided that the next open-ended intergovernmental meeting of experts on international cooperation under the United Nations Convention against Corruption should be held back to back with the corresponding Working Group on International Cooperation under the United Nations Convention against Transnational Organized Crime.

B. Promoting ratification and implementation of the United Nations Convention against Corruption

1. Tools and knowledge-building

61. UNODC has continued to develop and disseminate knowledge tools to address the needs of anti-corruption practitioners.

62. The Tools and Resources for Anti-Corruption Knowledge (TRACK) web-based platform, developed by UNODC in 2012, was visited by 18,725 people at least once in 2013 (the total number for 2012 was 10,000). The legal library, which is a part of TRACK, now contains laws, jurisprudence and information on anti-corruption authorities from over 178 States.

[2] For the text of the conclusions and recommendations, see the report of the meeting (CAC/COSP/WG.2/2013/4).

63. At the fifth session of the Conference of the States Parties, UNODC launched tools tailored to a wide range of stakeholders, including an implementation guide (to be published in 2014) on article 11 of the Convention against Corruption (Measures relating to the judiciary and prosecution services); the *Guidebook on Anti-Corruption in Public Procurement and the Management of Public Finances: Good Practices in Ensuring Compliance with Article 9 of the United Nations Convention against Corruption*; *Reporting on Corruption: A Resource Tool for Governments and Journalists*; *A Strategy for Safeguarding against Corruption in Major Public Events*; *A Resource Guide on State Measures for Strengthening Corporate Integrity*; and the *Anti-Corruption Ethics and Compliance Handbook for Business*. In addition, a draft digest of asset recovery cases was made available to States parties for their comments, which would be taken into account when finalizing the document.

64. UNODC continued to implement three projects with funding from the Siemens Integrity Initiative. Under two of those projects, UNODC completed legal diagnoses and baseline studies in India and Mexico to assess compliance with the Convention against Corruption on public procurement, as well as on incentives and sanctions for corporate integrity. As a result, legislative reforms are being recommended and comprehensive training programmes for relevant Government and private-sector practitioners are being developed for roll-out in 2014. Under a third project, UNODC has developed and adopted a communication and outreach strategy for the private sector and a micro-site on anti-corruption for the private sector is to be launched in early 2014.

65. As part of the Anti-Corruption Academic Initiative, an online menu of 20 topics that contains approximately 700 anti-corruption educational materials was launched in January 2013 to support professors and students interested in teaching and studying anti-corruption issues in higher education institutions. UNODC has developed a curriculum on the Convention against Corruption, also under the Siemens Integrity Initiative, which is currently being taught at five universities. An additional 30 universities have expressed interest in participating in the project.

66. UNODC provided continuing support to countries in collecting data and developing statistical indicators to provide benchmarks for the assessment of corruption and to support evidence-based normative, policy and operational decisions. In that regard, the regional report *Business, Corruption and Crime in the Western Balkans: The Impact of Bribery and other Crime on Private Enterprise* and seven related national reports, the report *Corruption and Integrity Challenges in the Public Sector of Iraq* and the report *Corruption in Afghanistan: Recent Patterns and Integrity Challenges in the Public Sector* were launched in 2013.

67. Tools and products have also been developed jointly with the World Bank as part of the Stolen Asset Recovery (StAR) Initiative (see paragraphs 77-79 below).

2. Provision of technical assistance for the implementation of the Convention against Corruption

68. UNODC has continued to provide a broad set of tailored technical assistance activities covering the breadth of the Convention to meet the growing demands of Member States.

69. Under the Anti-Corruption Mentor Programme, national advisers are currently deployed in Maputo and Juba and there are regional advisers responsible for South-East and South Asia, North, West, East and Southern Africa, Central America, the Pacific region, the Middle East and small island developing States. Those advisers have been providing professional expertise at the country and regional levels to facilitate the delivery of on-site guidance and advice to States parties requesting assistance. Their role has been increasingly crucial in providing technical assistance in support of the Implementation Review Mechanism.

70. Upon request from the Corruption Eradication Commission of Indonesia, UNODC has begun conducting national studies on the criminalization of obstruction of justice during the investigation and prosecution of corruption and on the criminalization of corporate corruption, based on recommendations stemming from the country review.

71. In October 2012, UNODC started implementing a comprehensive assistance project to support the South Sudan Anti-Corruption Commission. An organizational development strategy and a technical development strategy were developed and endorsed by the senior management of the Commission and support has also been provided for staff members of the Commission to participate in regional meetings to learn from relevant experiences. A provisional computerized income and asset declaration system has been installed and is currently being tested. Discussions have begun with senior management at the Commission on how to best develop an overall strategic plan for the Commission that complements the existing national anti-corruption strategy.

72. In Nigeria, a four-and-a-half-year anti-corruption programme financed by the European Union became operational in December 2012. Its aims are to provide effective support to anti-corruption coordination, policy formulation and legislation, using an evidence-based approach; to strengthen institutional and operational capacity in the main anti-corruption agencies and entities with an emphasis on cooperation; and to enhance accountability, transparency and civil society engagement in the fight against corruption.

73. In 2013, UNODC also launched a project in Iraq to address the shortcomings that authorities faced with regard to preventing, detecting and investigating corruption through providing support for legislative reform, capacity-building of investigators, civil society engagement and measures to counter money-laundering. The project seeks to build on the outcome of the Implementation Review Mechanism and recent surveys and assessments conducted by UNODC in the country.

74. With regard to international cooperation in criminal matters pertaining to corruption, in Mongolia, for example, training on drafting mutual legal assistance requests was delivered to practitioners and follow-up advice was provided on specific issues in that regard. In Iraq, UNODC conducted a workshop on international standards and operational challenges with regard to mutual legal assistance and extradition in corruption cases. Training workshops on mutual legal assistance were also delivered in Indonesia, Pakistan and Viet Nam.[3]

[3] For more information, see the Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2014/2-E/CN.15/2014/2).

3. Cooperation with other entities

75. To strengthen existing efforts to cooperate and coordinate the provision of technical assistance in anti-corruption matters, UNDP, UNODC and the United Nations System Staff College have developed an inter-agency training package on the integration of anti-corruption programming into the work of the United Nations Development Assistance Framework. Following the train-the-trainers course held in April 2013, UNODC and UNDP started advising and training staff from Governments and United Nations entities on how to incorporate anti-corruption efforts into the Framework.

76. Under the "Partnership for anti-corruption knowledge" initiative, UNODC and UNDP have developed a training manual to be employed in regional and national training programmes on the use of the Convention against Corruption to enhance the effectiveness and impact of development cooperation related to anti-corruption and governance.

77. To avoid duplication of efforts and build synergies with partners when developing and implementing anti-corruption technical assistance projects and programmes, UNODC continued its partnership with the World Bank in the joint StAR Initiative and with the United Nations Global Compact for activities related to the private sector. In the framework of the memorandum of understanding between UNODC and UNDP, both entities have launched a joint anti-corruption project for the Pacific and two complementary global projects with parallel workplans covering East, North and Southern Africa, the Middle East, South and South-East Asia and small island developing States. UNODC and UNDP also finalized a comparative analysis of the Convention against Corruption and the Arab Anti-Corruption Convention of the League of Arab States.

78. Knowledge products continued to be developed under the StAR Initiative in 2013, and *Left out of the Bargain: Settlements in Foreign Bribery Cases and Implications for Asset Recovery* was finalized and launched at the fifth session of the Conference of the States Parties. Also under the Initiative, assistance continued to be provided to 23 States in the form of tailored training and preparatory case assistance programmes and technical support was given to the second meeting of the Arab Forum on Asset Recovery, held in Marrakech, Morocco, in October 2013 in the context of the Deauville Partnership with Arab Countries in Transition.

79. The Global Focal Point Network was launched in January 2009 as a partnership between the StAR Initiative and INTERPOL to create a global network of asset recovery expert practitioners. The objective of the Network is to provide global operational support to facilitate the international recovery of stolen assets through the building of trust among practitioners, the sharing of technical knowledge and the development of practical tools. The virtual Global Focal Point Platform has been established on the secure website of INTERPOL, enabling focal points to exchange information and technical knowledge; as at 31 January 2014, 103 countries were participating in the initiative.

80. In collaboration with the International Olympic Committee, UNODC finalized the study *Criminalization Approaches to Combat Match-Fixing and Illegal/Irregular Betting: a Global Perspective*, and it was presented during the fifth session of the Conference of the States Parties. Furthermore, UNODC

continued to provide expert advice during negotiations on a new Council of Europe convention against the manipulation of sports results.

81. UNODC participated as an observer in the Group of Twenty (G-20) Anti-Corruption Working Group and provided input to the Leaders' Declaration adopted at the G-20 summit held in St. Petersburg, Russia, in September 2013, in which the leaders of the G-20 stated that they would continue to encourage all G-20 member countries to ratify and implement the Convention against Corruption. UNODC also provided advice on the implementation of the Anti-Corruption Action Plan for the period 2013-2014, in which it was stated that G-20 countries would enhance the transparency and inclusivity of their reviews under the Convention by making use, on a voluntary basis, of the options in the terms of reference to the Implementation Review Mechanism.

82. Under the Russian presidency of the G-20, UNODC continued to be an active member of the Business-20 (B-20) Task Force on Improving Transparency and Anti-Corruption. UNODC contributed to the identification of B-20 priority areas and the development of key recommendations for individual and collective action by Governments and businesses from the G-20 and beyond for each of those priority areas, which included the involvement of the private sector in the Implementation Review Mechanism and a preliminary study on possible regulatory developments to enhance the private sector role in the fight against corruption in a global business context.

83. UNODC also strengthened its partnerships with the business community and increased its work to promote public-private partnerships, with several projects being finalized on the basis of the leadership of and financial contributions received from the Russian Federation. Moreover, UNODC and the United Nations Global Compact continued to cooperate on the interactive e-learning tool for the private sector entitled "The Fight against Corruption". Since the launch of a certificate programme in February 2013, it has had over 72,000 online users and other language versions have been developed, often in cooperation with the private sector and other United Nations entities.

84. Within the framework of its Looking Beyond project, UNODC, in partnership with the UNCAC Coalition, has continued delivering a series of training sessions that aim to enhance the capacity of non-governmental organizations to understand the Convention and its Implementation Review Mechanism and has encouraged them to engage with the private sector in anti-corruption activities through a small grants scheme.

4. Meetings and special events

85. UNODC contributed substantively to a number of national, regional and international anti-corruption workshops and conferences, raising the profile of the Convention and providing policy guidance and technical advice on its implementation. UNODC also continued to participate in the Group of States against Corruption of the Council of Europe, the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption, the Working Group on Bribery in International Business Transactions of the Organization for Economic Cooperation and Development (OECD), and the Network on Governance of the OECD Development Assistance Committee. UNODC has also made

substantial contributions to the discussions within the United Nations on the post-2015 development agenda by advocating for the inclusion of anti-corruption and governance indicators in any future sustainable development goals.

86. Since 2009, UNODC and UNDP have marked International Anti-Corruption Day on 9 December with a joint campaign. In 2013, it was launched under the theme "Zero Corruption — 100% Development" in an effort to encourage a multisectoral approach involving all stakeholders, including those outside the public sector, such as the private sector, non-governmental and community-based organizations and the media. Discussions, educational and cultural events, marches, media events and extensive social media outreach were organized in countries around the world, some of them with the support of UNODC and UNDP and their local partners. Communications materials were made available for free download in all official languages of the United Nations from the website www.anticorruptionday.org.

87. In celebration of the tenth anniversary of the Convention, the United Nations Postal Administration, in collaboration with UNODC, produced a custom stamp sheet, which was introduced at the fifth session of the Conference of States Parties.[4]

88. Furthermore, a regional anti-corruption conference for South-Eastern European countries was held in Sarajevo on 9 and 10 December 2013 to commemorate International Anti-Corruption Day and the tenth anniversary of the adoption and opening for signature of the Convention against Corruption. The conference was organized by UNODC and the Ministry of Security of Bosnia and Herzegovina, in partnership with the UNDP regional centre for Europe and the Commonwealth of Independent States, and the European Commission.

IV. Recommendations

89. The Commission may wish to remind Member States of the need to improve implementation of the Organized Crime Convention and its Protocols by:

(a) Supporting efforts to expand the knowledge base on transnational organized crime and to prioritize knowledge management on legislation and case law related to transnational organized crime;

(b) Supporting efforts to intensify and systematize the provision of legislative assistance on the Convention and its Protocols;

(c) Supporting efforts to establish new and to maintain and strengthen existing regional networks and to promote cooperation between networks.

90. The Commission may wish to urge Member States that have not yet done so to ratify or accede to the Organized Crime Convention and its Protocols and to the Convention against Corruption and to take every step needed to ensure their effective implementation. In particular, the Commission may wish to urge States to provide financial and material contributions for the convening of working groups and workshops to assist in the implementation of both Conventions.

[4] See http://unstamps.un.org/unpa/en/products/Miscellaneous_Products/Panama/index.html.

91. The Commission may wish to continue supporting the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the work of the Conference of the States Parties to the United Nations Convention against Corruption. In particular, it may wish to reiterate its call upon States to make financial contributions in support of the Conferences, related technical assistance activities and the Mechanism for the Review of Implementation of the Convention against Corruption.